



IPU
Docket No. NEU-5006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Christopher Marrs Confirmation No.: 9854
Serial No. : 10/645,915 Art Unit: 1617
Filed : August 21, 2003 Examiner: Shengjun Wang
For : Stabilized Compositions Containing an Oxygen-Labile Active Agent

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

January 20, 2006

(Date of Deposit)

William E. McGowan, Reg. No. 39,301
(Name of applicant, assignee, or Registered Representative)

/William E. McGowan/
(Signature)

January 20, 2006

(Date of Signature)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This copy is supplemental to the Information Disclosure Statement mailed on December 8, 2005.

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the

information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with the first or second After Final Submission, therefore:

- Statement in Accordance with §1.97(e)
(attached); or
- Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or

an action that otherwise closes prosecution and that it is accompanied by one of:

- Statement in Accordance with §1.97(e)
(attached); or
- Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

Copies of only foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98 (a) (2).

There are no listed references which are not in the English language.

The relevance of those listed references which are not in the English language is as follows:

Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to
Deposit Account No. 10-0750/NEU5006/WEM. This form is
submitted in triplicate.

Respectfully submitted,

/William E. McGowan/
William E. McGowan
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DATED: January 20, 2006



PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 2

Confirmation Number

9584

Application Number

10/645,915

Filing Date

08/21/2003

First Named Inventor

Christopher Marrs

Group Art Unit

1617

Examiner Name

Shengjun Wang

Attorney Docket Number

NEU-5006

U.S. PATENT DOCUMENTS

Exam Initials	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code ² (if known)			
		5,438,151		Yadan et al.	08/1995	
		5,484,816		Yanagida et al.	01/1996	
		5,652,263		Clum et al.	07/1997	
		5,728,373		Alert et al.	03/1998	
		6,039,935		Mohammadi, Fatemeh	03/2000	
		6,080,393		Liu et al.	06/2000	
		6,103,746		Yarosh, Daniel B.	08/2000	
		6,235,721		Ghosal, Shubnath	05/2001	
		6,416,768		Ravaux et al.	07/2002	

FOREIGN PATENT DOCUMENTS

Exam Initials	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T ⁶
		Office ³	Number ⁴	KindCode ⁵				
		KR	2001070531	A	Kim et al.	07/2001	English abstract only	✓
		JP	2002235084	A	Yamaguchi et al.	08/2002	English abstract only	✓
		KR	2001084853	A	Cho et al.	09/2001	English abstract only	✓
		KR	2002084619	A	Hwang et al.	11/2002	English abstract only	✓
		WO	01/87260	A1	Catroux et al.	11/2001		

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Exam Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published					T ²

Examiner Signature	Date Considered
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²Unique citation designation number. ³See attached Kinds of U.S. Patent Documents. ⁴Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁵For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁶Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 2 of 2

Confirmation Number 9584

Application Number 10/645,915

Filing Date 08/21/2003

First Named Inventor Christopher Marrs

Group Art Unit 1617

Examiner Name Shengjun Wang

Attorney Docket Number NEU-5006

U.S. PATENT DOCUMENTS

Exam Initials	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code ² (if known)			
		6,544,532		Jager-Lezer et al.	04/2003	
		6,759,049		Donatini, Bruno	07/2004	
		6,805,866		Keith et al.	10/2004	
		6,809,084		Kim et al.	10/2004	
		2002/0110604		Babish et al.	08/2002	
		2004/0029955		Kouge et al.	02/2004	
		2004/0047823		Catroux et al.	03/2004	

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Exam Initials	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T ⁶
		Office ³	Number ⁴	KindCode ⁵				

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Exam Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	Date Considered	T ²

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